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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 12-00268-LHK
)	
12 Plaintiff,)	DEFENDANT RODRIGUEZ'S
)	UNOPPOSED MOTION AND
13 vs.)	PROPOSED ORDER TO CONTINUE
)	SENTENCING HEARING
14 EUTIMIO RODRIGUEZ,)	
)	
15 Defendant.)	
)	

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17 Defendant Eutimio Rodriguez, by and through Assistant Federal Public Defender Varell
18 L. Fuller, hereby moves this Court for an order that the sentencing hearing currently set in this
19 matter for January 15, 2014, at 9:30 a.m., be continued to Wednesday, February 5, 2014 at 9:30
20 a.m. The government and Probation are unopposed to the defendant's request.

21 Mr. Rodriguez has entered a plea pursuant to Rule 11(c)(1)(A) and 11(c)(1)(B) of the
22 Federal Rule of Criminal procedure to one count of conspiracy to commit theft of stolen goods in
23 interstate and foreign commerce, in violation of 18 U.S.C. § 371, and two counts of possession
24 of goods stolen from interstate commerce, in violation of 18 U.S.C. § 659. A sentencing hearing
25 is presently set in this matter for January 15, 2014.

26 DEFENDANT RODRIGUEZ'S UNOPPOSED
MOTION AND [PROPOSED] ORDER TO
CONTINUE SENTENCING HEARING
CR 12-00268-LHK

1 The defense respectfully asks that the sentencing hearing date be continued to facilitate
2 the completion of the presentence report investigation within the time permitted by the Federal
3 Rules of Criminal Procedure and Local Rules, and to permit the defense sufficient time to
4 respond to the draft presentence report. Accordingly, the defense respectfully request that the
5 sentencing hearing date be continued to February 5, 2014.

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7 Dated: December 12, 2013

8 /s/
VARELL L. FULLER
9 Assistant Federal Public Defender

10
11 **[PROPOSED] ORDER**

12 GOOD CAUSE APPEARING, and upon the unopposed motion of the defendant, by and
13 through counsel, it is hereby ordered that the sentencing hearing date set for Wednesday, January
14 15, 2013, at 9:30 a.m. is continued to Wednesday, February 5, 2014, at 9:30 a.m.

15 IT IS SO ORDERED.

16 Dated: 12/16/13

17 Lucy H. Koh
THE HONORABLE LUCY H. KOH
United States District Court Judge

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19 Further continuances will be disfavored.
20 12/16/13 Lucy H. Koh
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26 DEFENDANT RODRIGUEZ'S UNOPPOSED
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